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S/N Unassigned

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Colin DICKENS et al. Group Art Unit: Unassigned
Serial No.: Unassigned Docket No.: 16873-51845
Filed: October 14, 2005
Title: **NASAL DRUG DELIVERY**

CERTIFICATE UNDER 37 CFR 1.10

Express Mail: EV025495792US

Date of Deposit: October 14, 2005

I hereby certify that this paper or fee is being deposited with the United States Postal Service Express Mail Post Office to Addressee' service under 37 CFR 1.10 and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By: 
Name: John R. Harris

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Customer No. 24728

INFORMATION DISCLOSURE STATEMENT (37 C.F.R.- § 1.97(b))

Dear Sir:

In accordance with the provisions of 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicant(s) hereby submit the information listed on the accompanying forms PTO/SB/08A, PTO/SB/08B for consideration by the Examiner in connection with the examination of the above-identified patent application. Copies of the documents listed in the accompanying forms are enclosed herewith, if applicable. Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached forms PTO/SB/08A and PTO/SB/08B, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

SUBMISSION

In accordance with the provisions of 37 C.F.R. § 1.97, this statement is being submitted as indicated below:

☒ (1) Pursuant to 37 C.F.R. § 1.97(b), (i) within three (3) months of the filing date of a national application other than a continued prosecution application under 37 C.F.R. § 1.53 (d), or (ii) within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, or (iii) before the mailing of the first Office Action on the merits, or (iv) before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114; or

☐ (2) Pursuant to 37 C.F.R. § 1.97(c), after the period defined in (1) but before the mailing date of a final action under 37 C.F.R. § 1.113, a notice of allowance under 37 C.F.R. § 1.311 or an action that otherwise closes prosecution in the application, and

☐ the requisite Statement is below, or

☐ the requisite fee under 37 C.F.R. § 1.17(p), namely \$180, is submitted herewith,

or

☐ the requisite fee under 37 C.F.R. § 1.17(p), namely \$180, is submitted in connection with an electronic IDS filed concurrently on this day.

☐ (3) Pursuant to 37 C.F.R. § 1.97(d), after the period defined in (2) but before payment of the issue fee, and

☐ the requisite Statement is below, and

☐ the requisite fee under 37 C.F.R. § 1.17(p), namely \$180 is submitted herewith.

☐ the requisite fee under 37 C.F.R. § 1.17(p), namely \$180, is submitted in connection with an electronic IDS filed concurrently on this day.

It is respectfully requested that each of the documents listed on accompanying forms PTO/SB/08A, PTO/SB/08B and other information contained herein be considered by the Examiner and made of record in this application.

STATEMENT

As required under 37 C.F.R. § 1.97(e), Applicant(s), through the undersigned, hereby state either that:

- ☐ (1) Each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement; or,
- ☐ (2) No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

OTHER BASES FOR THIS FILING

- ☐ The above identified materials are submitted in this Continued Prosecution Application (CPA) under 37 C.F.R. § 1.53(d) before the mailing of the first Office Action, and it is therefore believed that no fee for submission and consideration of this information is required pursuant to 37 C.F.R. § 1.97(b)(3).
- ☐ A Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 in conjunction with this application:
- (i) ☐ was filed on _____; or
- (ii) ☐ is filed concurrently herewith.
- ☐ The above identified materials are submitted in this application before the mailing of a first Office Action after the RCE filing, and it is therefore believed that no fee for submission and consideration of this information is required pursuant to 37 C.F.R. § 1.97(b)(4).

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JC20 Rec'd PCT/PTO 14 OCT 2004

The citation of this information does not constitute an admission of priority or that any cited item is available as a reference, or a waiver of any right the applicant may have under applicable statutes, Rule of Practice in patent cases, or otherwise.

Respectfully submitted,

MORRIS, MANNING & MARTIN, LLP

October 14, 2005



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Approved for use through 07/31/2006. OMB 0651-0031

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Substitute for form 1449/PTO

(Use as many sheets as necessary)

Complete if Known

Application Number	Unassigned
Filing Date	September 7, 2005
First Named Inventor	Colin DICKENS
Art Unit	Unassigned
Examiner Name	Unassigned
Attorney Docket Number	12654-51845

Sheet	1	of	1
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U. S. PATENT DOCUMENTS

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FOREIGN PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	MM-DD-YYYY			
	1	EP 0448204 A	9/25/1991	Dessertine		
	2	GB2367756	4/17/2002	Bespak PLC		
	3	EP 0459443A	12/04/1991	Fitzmorris		
	4	RU 2166787	5/10/2001	Zykov		

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.